

BK0485PG0131

STATE MS.-DE SOTO CO

OCT 27 8 53 AM '04

Parcel No. 3073-0700.0-00017.03 (HSA 26)

Prepared by:  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
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6075 Poplar Avenue, Suite 500  
Memphis, TN 38119  
(901) 680-7200

485 PG 131  
CH. CLK.

To the Chancery Clerk of DeSoto County, Mississippi:  
The real property described herein is situated in the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 7,  
Township 3 South, Range 7 West of DeSoto County, Mississippi.

# PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT

C. K. DILWORTH, JR.

GRANTOR

TO

DESOTO COUNTY REGIONAL UTILITY AUTHORITY

GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, C. K. DILWORTH, JR. (the "Grantor"), grant to **DESOTO COUNTY REGIONAL UTILITY AUTHORITY** ("Grantee"), a body politic, a perpetual and assignable easement and right-of-way in, on, over and across the land, for the location, operation, maintenance, alteration, repair and patrol of an underground sewer pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 7, Township 3 South, Range 7 West and being a strip of land of variable width and more particularly described on Exhibit "A."

The Grantor further grants to Grantee two variable width temporary construction easements and right-of-way in, on, over and across the land running parallel to and along the above-described variable width permanent utility easement, said temporary easements containing .160 acres, more or less, as more specifically described on the attached Exhibit "B."

Upon completion of the construction within the above described permanent utility easement, the above-described temporary construction easements shall terminate.

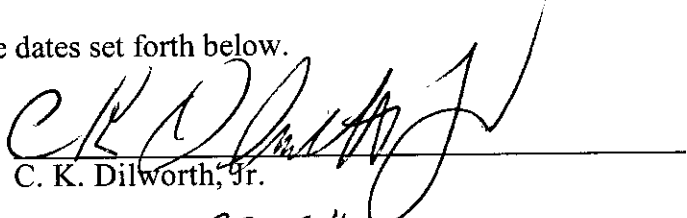
The Grantor further grants to the Grantee the right of ingress and egress to and from said permanent and temporary easements. Grantor maintains his right of ingress and egress to and from, across and over the subject easements so long as said right does not interfere with Grantee's use of the subject easements.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledges that they are aware of their rights under said Act, including but not limited to:

- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantor fully understands that he has the right to receive just compensation for the real property herein described based on an appraisal of said property.

WITNESS MY SIGNATURE on the dates set forth below.

  
C. K. Dilworth, Jr.  
DATE: 10-20-04

The Address and Telephone  
Number of the Grantors:

44 Pleasant Street  
Nantucket, MA 02554  
(508) 228-3564

The Address and Telephone  
Number of the Grantee:

DeSoto County Courthouse  
Hernando, MS 38632  
(662) 429-5011

STATE OF Massachusetts  
COUNTY OF Nantucket

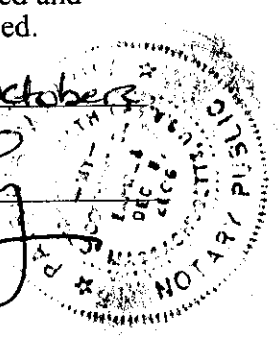
This day personally appeared before me, the undersigned authority in and for said County and State, the within named, **C. K. Dilworth, Jr.**, who acknowledged that he signed and delivered the above and foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office, this the 20th day of October, 2004.

My Commission Expires:

[AFFIX NOTARIAL SEAL]

  
NOTARY PUBLIC  
Patricia Murphy  
NOTARY PUBLIC  
My commission expires Dec. 8, 2006



**A PROPOSED VARIABLE WIDTH PERMANENT UTILITY EASEMENT**

COMMENCING for reference at a 1/2 inch pipe marking the Southeast corner of Lot 2, Phase I, The Lakes of Cedar Grove Subdivision, as recorded in Plat Book 55, Page 37 within the Chancery Clerk's Office of Desoto County, Mississippi;

THENCE run East, 144.97 feet;

THENCE run South, 1,047.42 feet to the Northeast corner of the aforementioned "Dilworth" tract and being on the West right-of-way line of McInvale Road, as it exists this date (October, 2003), same being the POINT OF BEGINNING of the herein described proposed variable width permanent utility easement;

THENCE run South 01° 28' 09" East along the East line of said "Dilworth" tract, 40.72 feet;

THENCE leaving said East line, run North 89° 53' 48" West, 15.28 feet;

THENCE run South 01° 57' 53" East, 289.48 feet to a point on the South line of the aforesaid "Dilworth" tract;

THENCE run South 89° 34' 30" West, along said South line, 20.01 feet;

THENCE leaving said South line, run North 01° 57' 03" West, 304.47 feet;

THENCE run South 87° 47' 44" West, 4.97 feet;

THENCE run North 02° 12' 16" West, 20.00 feet;

THENCE run North 87° 47' 44" East, 5.00 feet;

THENCE run North 02° 11' 16" West, 5.59 feet to a point on the North line of the aforementioned "Dilworth" tract;

THENCE run North 89° 34' 30" East, along said North line, 35.64 feet to the POINT OF BEGINNING, containing 0.168 Acres (7,317 Square Feet), more or less.

**EXHIBIT**

tabbies

A

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**A PROPOSED VARIABLE WIDTH TEMPORARY CONSTRUCTION  
EASEMENT "A"**

COMMENCING for reference at a 1/2 inch pipe marking the Southeast corner of Lot 2, Phase I, The Lakes of Cedar Grove Subdivision, as recorded in Plat Book 55, Page 7 within the Chancery Clerk's Office of Desoto County, Mississippi;

THENCE run East 144.97 feet;

THENCE run South 1,047.42 feet to the Northeast corner of the aforementioned C. K. Dilworth, Jr. tract, same being the Northeast corner of the above described proposed variable width permanent utility easement;

THENCE run South 89° 34' 30" West, along said North line, 35.64 feet to the POINT OF BEGINNING of the herein described proposed variable width temporary construction easement "A", same being the Northwest corner of the above described proposed variable width permanent utility easement;

THENCE run South 02° 11' 16" East, 5.59 feet;

THENCE run South 87° 47' 44" West, 5.00 feet;

THENCE run South 02° 12' 16" East, 20.00 feet;

THENCE run North 87° 47' 44" East, 4.97 feet;

THENCE run South 01° 57' 03" East, 304.47 feet to a point on the South line of aforementioned "Dilworth" tract, same being the Southwest corner of the above described proposed variable width permanent utility easement;

THENCE run South 89° 34' 30" West, along said South line, 20.01 feet;

THENCE leaving said South line, run North 01° 57' 53" West, 330.06 feet to a point on the North line of aforesaid "Dilworth" tract;

THENCE run North 89° 34' 30" East, along said North line, 20.01 feet to the POINT OF BEGINNING, containing 0.150 Acres (6,519 Square Feet), more or less.

**A PROPOSED VARIABLE WIDTH TEMPORARY CONSTRUCTION  
EASEMENT "B"**

COMMENCING for reference at a 1/2 inch pipe marking the Southeast corner of Lot 2, Phase I, The Lakes of Cedar Grove Subdivision, as recorded in Plat Book 55, Page 7 within the Chancery Clerk's Office of Desoto County, Mississippi;

THENCE run East, 144.97 feet;

THENCE run South, 1,088.14 feet to the Northeast corner of the aforementioned proposed variable width temporary construction easement "B" and being on the West right-of-way line of McInvale Road, as same exists this date (October, 2003) and being on the East line of the aforementioned C. K. Dilworth, Jr. tract,

same being the POINT OF BEGINNING of the herein described proposed variable width temporary construction easement "B";

THENCE run South 01° 28' 09" East, along said West right-of-way line, 30.01 feet;

THENCE leaving said West right-of-way line, run North 89° 52' 29" West, 15.02 feet;

THENCE run North 01° 57' 53" West, 30.01 feet;

THENCE run South 89° 53' 48" East, 15.28 feet to the POINT OF BEGINNING, containing 0.010 acres, (455 Square Feet), more or less.

EXHIBIT

B